

HOUSE BILL 100

Introduced by Davis

1/04	Introduced
1/04	Fiscal Note Requested
1/05	Referred to Highways & Transportation
1/05	First Reading
1/08	Fiscal Note Received
1/08	Fiscal Note Printed
1/13	Hearing
1/25	Committee Report--Bill Passed as Amended
1/27	2nd Reading Passed
1/27	Taken from Engrossing and Rereferred to Appropriations
2/01	Sponsor Fiscal Note Requested
2/01	Sponsor Fiscal Note Received
2/01	Sponsor Fiscal Note Printed
3/03	Tabled in Committee

HOUSE BILL NO. 100

INTRODUCED BY DAVIS

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF TRANSPORTATION TO DESIGNATE AND CONSTRUCT TURNOUTS ON STATE TWO-LANE HIGHWAYS FOR SLOW-MOVING VEHICLES; AND AMENDING SECTION 61-8-311, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-8-311, MCA, is amended to read:

"61-8-311. Minimum speed regulations. (1) A person may not drive a motor vehicle at a speed slow enough to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

(2) On a two-lane highway where passing is unsafe because of traffic in the opposite direction or other conditions, a slow-moving vehicle, including a passenger vehicle, behind which four or more vehicles are formed in line shall turn off the roadway at the nearest place designated as a turnout by signs erected by the authority having jurisdiction over the highway or wherever sufficient area for a safe turnout exists in order to permit the vehicles following it to proceed. If the shoulder of the highway to the right of the overtaken vehicle is wide enough

and is in a condition allowing safe travel, the driver of the overtaken vehicle may drive onto the shoulder and proceed at a safe speed until passed. As used in this section a slow-moving vehicle is one which is proceeding at a rate of speed less than the normal flow of traffic at the particular time and place. The department of transportation ~~is authorized to~~ shall designate and construct such turnouts on two-lane highways where needed, as determined by the commission, and to erect signs at appropriate places advising motorists of this statute.

(3) If the department of transportation or local authorities within their respective jurisdictions determine on the basis of an engineering and traffic investigation that slow speeds on any part of a highway consistently impede the normal and reasonable movement of traffic, the commission or the local authority may set a minimum speed limit below which a person may not drive a vehicle except when necessary for safe operation or in compliance with law."

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0100, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act requiring the Department of Transportation to designate and construct turnouts on state two-lane highways for slow-moving vehicles.

ASSUMPTIONS:

1. Availability of adequate shoulder width to accommodate use by slow-moving vehicles is very limited on segments of roadway where a high probability of platooning exists.
2. Typical desired operating speeds of drivers on the majority of roadways under consideration range from 55 mph. to 65 mph. (Typical conditions on most major rural arterials).
3. Typical turnout design would include a length of 600 feet including tapers, a width of 16 feet and a paved asphalt surface. It would also require sight distance of 1000 feet in each direction. (ref. American Association of State Highway and Transportation Officials "A Policy on Geometric Design of Highways and Streets - 1990).
4. Typical passing lanes would require a length of 3/4 of a mile and a width of 16 feet.
5. Each site would require at least two advance informational signs and the routes under concern would require two regulatory signs (one for each direction of travel) every 50 miles.
6. Roughly estimate that there are least 14 segments of roadway having lengths ranging from 17 to 148 miles that have a high probability of exhibiting platooning potential described in the proposed bill. Those segment lengths total approximately 930 miles.
7. Since passing lanes can deal with dispersing platooning much more efficiently than turnouts it is assumed that turnouts would have to be placed at twice the frequency that passing lanes would be. Even with this level of relative frequency, turnouts would not be considered to be as effective as passing lanes on high speed rural arterials which are being targeted.
8. It is assumed that to deal with the platooning criteria in the bill, turnouts would have to be placed on the average of every 7.5 miles as compared with every 15 miles for passing lanes.
9. It is assumed that passing lanes or turnouts would be used on a much more limited basis on the rest of the state's rural arterials, which exhibit less potential for platooning to occur. Since there is no way to estimate the potential on these facilities, it is assumed there would be an additional 30 passing lane sites or 60 possible turnout sites.
10. Also, it is assumed that there may be some sites, though very limited, where safe use of the shoulder by slow moving vehicles may take place (allow for 20 sites where signing only is used).
11. It can be assumed that the preliminary engineering costs are equal to 10% of the total construction costs.
12. If a passing lane concept were used in lieu of the turnout concept, the cost for construction and construction engineering will be \$18,418,908. The preliminary engineering costs will be approximately \$1,841,890 for an estimated total of \$20,260,798.

(continued)

David Lewis 1-8-93
DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

ERVIN DAVIS, PRIMARY SPONSOR DATE
Fiscal Note for HB0100, as introduced

HB 100

(continued)

ASSUMPTIONS: (continued)

13. Segments with potential for platooning include:

US 2 Libby to Kalispell - 89 miles.
 US 2 East Glacier to West Glacier - 55 miles.
 US 93 Polson to Somers - 27 miles.
 US 93 Lost Trail Pass to Hamilton - 56 miles.
 MT 83 Clearwater Jct. to Bigfork - 91 miles.
 MT 35 Polson to Bigfork - 34 miles.
 MT 35 Bigfork to Kalispell - 17 miles.
 MT 200 Missoula to Great Falls - 148 miles.
 MT 200/US 87 Great Falls to Lewistown - 105 miles.
 US 287/US 12 Helena to Three Forks - 62 miles.
 US 191 Four Corners to West Yellowstone - 82 miles.
 US 287 Ennis to Jct. US 191 - 63 miles.
 US 89 Livingston to Gardner - 53 miles.
 US 89 Billings to Roundup - 48 miles.

14. The fiscal impact shown below reflects total costs of construction if contracts were let and completed within the 1995 biennium.

FISCAL IMPACT:Expenditures: Construction Program (02)

	FY '94			FY '95		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
FTE	890.79	890.79	0.00	890.79	890.79	0.00
PERSONAL SERVICES	\$30,735,610	\$30,735,610	0	\$30,823,161	\$30,823,161	0
OPERATING	183,226,184	190,926,604	\$7,700,420	185,090,755	192,791,175	\$7,700,420
EQUIPMENT	1,083,040	1,083,040	0	683,220	683,220	0
CAPITAL OUTLAY	6,150,000	6,150,000	0	6,150,000	6,150,000	0
GRANTS	<u>110,000</u>	<u>100,000</u>	<u>0</u>	<u>100,000</u>	<u>100,000</u>	<u>0</u>
Total	\$221,294,834	\$228,995,254	\$7,700,420	\$222,847,136	\$230,547,556	\$7,700,420

Funding:

Highways Special Revenue (02)	\$38,827,328	\$46,527,748	\$7,700,420	\$37,712,847	\$45,413,267	\$7,700,420
Highway Reconstruction (02)	19,563,285	19,563,285	0	20,632,500	20,632,500	0
Highway Trust - SP REV (03)	<u>162,904,221</u>	<u>162,904,221</u>	<u>0</u>	<u>164,501,789</u>	<u>164,501,789</u>	<u>0</u>
Total	\$221,294,834	\$228,995,254	\$7,700,420	\$222,847,136	\$230,547,556	\$7,700,420

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

None.

(continued)

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The bill does not specify a timeframe for completion of construction. The fiscal impact shown above reflects total costs of construction if contracts to construct turnouts were let and completed within the 1995 biennium. If passed and enacted, the Department of Transportation would seek to clarify the legislative intent to implement a turnout construction program over several biennia.

SPONSOR'S FISCAL NOTE

Form BD-15S

There is hereby submitted a Sponsor's Fiscal Note for: HB100, Version: Referred version

Assumptions:

Segments with potential for signing include:

US 2 --- East Glacier to West Glacier	55 miles
US 93 - Lost Trail Pass to Hamilton	56 miles
US 93 - Missoula to Polson	75 miles
US 35 - Polson to Bigfork	35 miles
US 35 - Bigfork to Kalispell	17 miles
US 200 - Missoula to great Falls	148 miles
US 200/US 87 - Great Falls to Lewistown	105 miles
US 287/US 12 - Helena to Three Forks	62 miles
US 191 - Four Corners to West Yellowstone	82 miles
US 287 - Ennis to Jct. US 191	63 miles
US 89 - Livingston to Gardner	53 miles
US 89 - Billings to Roundup	48 miles
US 89 - East Glacier to Canadian border	50 miles

TOTAL MILES 939 MILES

ASSUMPTION #1. That signs were placed at an average of 20-mile intervals, approximately 45 signs would be needed. Including, where necessary, metal posts (2' in cement), labor and sign (20"x20" silkscreened) at a cost of \$411.50 or without a metal post at a cost of \$311.50 per sign, when signs are purchased in quantities of 50 or more.

[Signature] 2/1/93
PRIMARY SPONSOR DATE

Fiscal Note for: HB 100 Version: Referred Version

Sponsor Fiscal Note
HB 100

ASSUMPTION #2. That, at most, 25 signs (one direction per designated highway) would be needed to mark the existing designated areas to be used as turn-outs and 15 metal posts with 2' of cement, along with another 15 signs (in the other direction of same designated highway) and possibly 7 metal posts with 2' of cement. If 40 signs and 15 post were used, the total cost would be approximately \$14,660.00.

ASSUMPTION #3. All above-mentioned 45 signs in ASSUMPTION #1 will be installed with a metal post and 2' of cement, at a cost of approximately \$18,517.50.

ASSUMPTION #4. Only 32 signs (25 one direction and 7 the reverse direction) will be installed with metal posts and 2' of cement at a cost of approximately \$13,168.00.

ASSUMPTION #5. There is a possibility that many of the existing posts could be used, thus; a further savings of approximately \$700.00 to \$1,000.00.

These costs could be substantially reduced where there is no need for signs to be placed at each 20-mile interval. In addition, several locations where existing signing is already in place, the slow-moving sign could be placed on an existing post. Paint striping would be unnecessary because most striping is obliterated or covered by snow, gravel or sand during the winter months.

APPROVED BY COMMITTEE
ON HIGHWAYS & TRANSPORTATION

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because of traffic in the opposite direction or other
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vehicle, behind which four or more vehicles are formed in
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area for a safe turnout exists in order to permit the
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highway to the right of the overtaken vehicle is wide enough

and is in a condition allowing safe travel, the driver of
the overtaken vehicle may drive onto the shoulder and
proceed at a safe speed until passed. As used in this
section a slow-moving vehicle is one which is proceeding at
a rate of speed less than the normal flow of traffic at the
particular time and place. The EXCEPT AS PROVIDED IN
SUBSECTION (4), THE department of transportation is
authorized to shall designate and-construct such turnouts on
two-lane highways where needed, as determined by the
commission, and to erect signs at appropriate places
advising motorists of this statute.

(3) If the department of transportation or local
authorities within their respective jurisdictions determine
on the basis of an engineering and traffic investigation
that slow speeds on any part of a highway consistently
impede the normal and reasonable movement of traffic, the
commission or the local authority may set a minimum speed
limit below which a person may not drive a vehicle except
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(4) IF THE DEPARTMENT OF TRANSPORTATION OR LOCAL
AUTHORITIES WITHIN THEIR RESPECTIVE JURISDICTIONS DETERMINE
THAT A PART OF A HIGHWAY IS SCHEDULED FOR RESURFACING OR
RECONSTRUCTION, THE DEPARTMENT IS RELIEVED OF THE OBLIGATION
TO SIGN DESIGNATED TURNOUTS IN THAT AREA UNDER SUBSECTION
(2) UNTIL THE RESURFACING OR RECONSTRUCTION IS COMPLETED."

-End-

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HB 100

SECOND READING



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-End-

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HB 100

THIRD READING